

93 15. A data communications system as specified in claim 13 wherein data is communicated as data packets from said access points via said wired data interface to one of said additional wired data ports of said switching hub, said data packets including source address data, and wherein said switching hub is arranged to examine said source address data and to associate the corresponding source address data with said one additional port on said routing list.

REMARKS

**I. Rejection Under 35 U.S.C. § 112, ¶ 2 (claim 1)**

Claim 1 has been amended in response to the Examiner's objection related to indefiniteness for lack of an antecedent basis for the term "central computer". It is respectfully suggested that the Examiner's rejection be withdrawn.

**II. Rejection Under 35 U.S.C. §§ 102(b), 103(a): Fischer (now-cancelled or amended claims 1, 3, 4-7 and 13)**

In view of: (i) the cancellation of claims 2-7 and 14; (ii) the amendment of claim 1 to incorporate the limitations of now-cancelled claim 2; and (iii) the amendment of claim 13 to incorporate the limitations of now-cancelled claim 14, applicant has obviated the rejections under Fischer either under § 102(b) or § 103(a). It is respectfully suggested that the Examiner's rejection be withdrawn.

**III. Rejection Under 35 U.S.C. § 103(a): Fischer in view of Bass et al. (now-amended claims 1, 8-10, 13 and 15)**

Claims 1, 8-10, 13 and 15 as amended stand rejected under as being unpatentable over Fischer (U.S. Patent No. 5,502,726) in view of Bass et al. (U.S. Patent No. 6,137,797).

Fischer is directed to a system that is designed to provide transparency between the application or presentation layers in medical applications via, among other methods, a wireless medium. Fischer includes no discussion, however, about using wireless local area network (WLAN) infrastructure hardware to improve the efficiency of the wireless medium. Bass et al. teach methods for improving switching systems for local area networks (LAN), but contains no discussion about using a wireless medium of any kind to improve these LAN systems.

In his rejection, the Examiner stated that one of ordinary skill in the art would be motivated to combine Fischer and Bass et al. such that the claims at issue would be obvious. But neither Fischer nor Bass et al. teach anything about hardware architecture of WLANs at the MAC or PHY level that are designed to improve WLAN services. Indeed, standard WLAN architectures are designed to operate with any network structure that sits at the higher levels of the OSI model, including the networks disclosed in Fischer and Bass et al. In other words, the disclosures in Fischer and Bass et al. would operate using any compatible WLAN architectures, and would even operate in essentially the same manner in a fully wired network. Thus, nothing in Fischer or Bass et al. taken together would teach one skilled in the art any particular techniques to improve WLAN infrastructure architecture of any kind, let alone the techniques similar to those disclosed

and claimed in the present application. Such a “teaching to combine” is a necessary prerequisite for a rejection under 35 U.S.C. § 103(a). *See* MPEP § 2143.01 and sources cited therein.

**IV. Rejection Under 35 U.S.C. § 103(a): Fischer in view of Bass et al. and further in view of: (i) Sturniolo (claims 11, 12); or Portaro et al. (claims 16-18)**

Because claims 11, 12 and 16-18 stand rejected as being unpatentable over at least Fischer (U.S. Patent No. 5,502,726) in view of Bass et al. (U.S. Patent No. 6,137,797), the rejection as to these claims should be withdrawn for at least the same reasons as for claims 1, 8-10, 13 and 15.

EXTENSION OF TIME

Enclosed with this Amendment is an application for a 3-month extension of time to extend the response to the April 22, 2002, Office Action from July 22, 2002, to October 22, 2002, and the authorization to charge the appropriate fee therewith.

CONCLUSION

Applicants respectfully submit that pending claims 1, 8-13 and 15-18 contain allowable subject matter.

Pursuant to 37 C.F.R. § 1.121, Appendix A, showing the markup of changes to the specification and claims by this Amendment, is attached hereto.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 that are not enclosed herewith, please charge such fees to Deposit Account No. 19-5407.

Should the Examiner be of the view that a telephone interview would expedite consideration of this Amendment, please call the undersigned at (631) 738-5586.

Respectfully submitted,

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I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above, as is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

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## **APPENDIX A – SHOWING MARKUP OF CHANGES**

### **IN THE CLAIMS:**

1. In a wireless data communications system wherein data communications are provided between mobile units and a central computer via access points, the improvement wherein at least some of said access points are connected to said central computer through at least one data switching hub, and wherein said data switching hub is arranged to selectively provide data communications to access points connected to said hub in accordance with destination address data in said communications, wherein said data switching hub is arranged to monitor source address data in communications received from each access point connected to a port of said data switching hub, wherein said switching hub is arranged to maintain a routing list correlating said source address data with said port of said data switching hub and wherein said switching hub is arranged to use said list to selectively provide said data communications to said access points.

13. A data communications system for providing data communications between at least one computer and a plurality of mobile units, comprising:

a plurality of access points, each arranged for providing radio data communications and having a wired data interface;

a plurality of mobile units, each arranged to associate itself with one of said access points and conduct radio data communications therewith;

at least one switching hub having a first wired data port and a plurality of additional wired data ports, each connected to said wired data interface of one of said access points; and

a wired data communications network for providing wired data communications between said at least one computer and said first wired port of said switching hub,

wherein data is communicated over said wired data communications network as data packets, each of said packets having destination address data and wherein said switching hub is arranged to examine said destination address data and provide said data packets to one of said additional wired ports if said destination address data corresponds on a routing list to an address associated with said one additional wired port.

15. A data communications system as specified in claim [14]<sup>13</sup> wherein data is communicated as data packets from said access points via said wired data interface to one of said additional wired data ports of said switching hub, said data packets including source address data, and wherein said switching hub is arranged to examine said source address data and to associate the corresponding source address data with said one additional port on said routing list.